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Attorney's Docket No.: C01104/70016

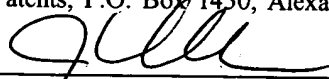
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling, et al.  
Serial No.: 09/805,590  
Confirm. No.: 1160  
Filed: March 13, 2001  
For: LIGHT-EMITTING DIODE BASED PRODUCTS

Examiner: A, Minh D.  
Art Unit: 2821

CERTIFICATE OF MAILING UNDER 37 CFR §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 22 day of January, 2004.

  
Jeanne W. Chub

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

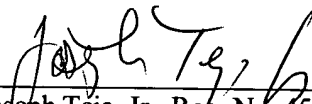
Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement, Form PTO-1449 and Cited References
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000.

A check for \$180.00 is enclosed. If the fee is insufficient, the Commissioner is hereby authorized to charge Deposit Account No. 50/2762. A duplicate of this sheet is enclosed.

Respectfully submitted,  
Kevin J. Dowling, et al., Applicants

By:   
Joseph Teja, Jr., Reg. No. 45,157  
LOWRIE, LANDO & ANASTASI, LLP  
Riverfront Office Park  
One Main Street  
Cambridge, MA 02142  
(617) 395-7000

Docket No. C01104/70016  
Date: January 22, 2004  
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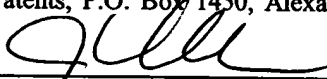
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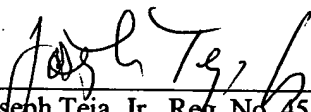
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**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir/Madam:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

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The Applicants also wish to bring to the Examiner's attention the following information:

The seven German references listed on the attached form PTO-1449 (modified) were cited in at least one of five oppositions filed against a European counterpart to a parent application of the present application. The European counterpart is EP Patent No. 1,016,062, EP Serial No. 98944539.0, corresponding to U.S. Patent No. 6,016,038 (U.S. Serial No. 08/920,146). The present application is a continuation-in-part (CIP) of U.S. Serial No. 09/669,121, filed September 25, 2000, which is a continuation of U.S. Serial No. 09/425,770, which in turn is a continuation of U.S. Serial No. 08/920,146.

These seven German references originally were cited in an Information Disclosure Statement filed on October 10, 2003 in the present application. However, at that time, only English language translations of the Abstracts for some of these references were available. Applicants have since commissioned a full English translation for these seven references, and enclose the English translations herewith for the Examiner's consideration.

### PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

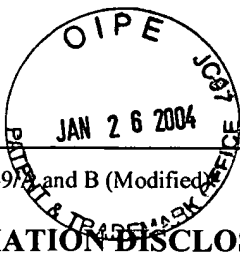
Respectfully submitted,

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Tel. (617) 395-7000

Docket No. C01104/70016  
Date: January 22, 2004



<b>FORM PTO-1449/A and B (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		APPLICATION NO.: 09/805,590	ATTY. DOCKET NO.: C01104/70016
		FILING DATE: March 13, 2001	CONFIRMATION NO.: 1160
		APPLICANT: Kevin J. Dowling et al.	
		GROUP ART UNIT: 2821	EXAMINER: A, Minh D.
Sheet	1	of	1

#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		3,740,570		Kaelin et al.	06/19/1973
		4,654,629		Bezos et al.	03/31/1987
		4,833,542		Hara et al.	05/23/1989
		5,268,828		Miura	12/07/1993
		5,471,052		Ryczek	11/28/1995
		5,636,303		Che et al.	06/03/1997

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

#### OTHER ART -- NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. § 120, and the copy was provided in the earlier application.]